IN RE: PETITIONS FOR SPECIAL HEARING

AND VARIANCE - NE/S Compass Road

at Middle River Road (601 Compass Road) 15th Election District

7th Councilmanic District

Amoco Oil Company Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 97-414-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance for that property known as 601 Compass Road, located at its intersection with Middle River Road in Middle River. The Petition was filed by the owner of the property, Amoco Oil Company, by M.E. (Marty) Stumbroski, District Engineer. Petitioner seeks approval of the conversion of a full service gasoline station to a gas and go facility, pursuant to Section 405.3 of the Zoning Commissioner's Policy Manual, and an amendment to the previously approved site plan in prior Case No. 73-262-XA, to reflect the proposed modifications. In addition to the special hearing relief sought, the Petitioner requests variance relief from Sections 232.2.b and 1B02.3.C.(1)(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 25 feet for a proposed car wash. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Martin Stumbroski and Charles T. Bogdanowicz, representatives of Amoco Oil Company, and William P. Monk, Land Use Planning and Zoning Consultant. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.7330 acres, more or less, zoned B.L., and is the site of an existing three-bay, full service Amoco service station and car wash. The Petitioner is desirous of converting the full service use to a gas and go facility, with a use in combination convenience food store and freestanding car wash facility. The Petitioner intends to completely renovate the entire site, with the addition of a new canopy, convenience food store, and separate car wash facility, all as more particularly described on Petitioner's Exhibit 1. Also proposed for the site are new sidewalk, curb and gutters, and new and additional landscaping. In order to proceed with the proposed improvements, however, the requested special hearing and variance relief are necessary. Testimony indicated that the proposed improvements will not only allow the Petitioner to offer greater services to its customers, but will greatly enhance the subject site and benefit the surrounding community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20 day of May, 1997 that the Petition for Special Hearing seeking approval of the conversion of a full service gasoline station to a gas and go facility, pursuant to Section 405.3 of the Zoning Commissioner's Policy Manual, and an amendment to the previously approved site plan in prior Case No. 73-262-XA to reflect the proposed modifications, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 232.2.b and 1B02.3.C.(1)(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 25 feet for a proposed freestanding car wash, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

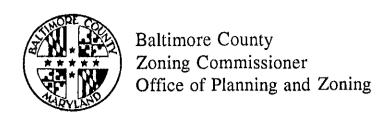
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Lucy Hy Hofrows TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

May 20, 1997

Mr. Martin E. Stumbroski Amoco Oil Company 1 W. Pennsylvania Avenue, Suite 900 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE

NE/S Compass Road at Middle River Road

(601 Compass Road)

15th Election District - 7th Councilmanic District

Amoco Oil Company - Petitioner

Case No. 97-414-SPHA

Dear Mr. Stumbroski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Munthy 16 Fraco

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. William P. Monk

222 Bosley Avenue, C-6, Towson, Md. 21204

People's Counsel; Case Files

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	Petit	ioner										
Amoc	o Oil	Compan	ıy				*		CASE NO	. 97-4	14-SPH	Α
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	-			_	ass Roa on Dist		*		ZONING	COMMIS	SIONER	
1 5407 1		TION FO										
RE:	PETTI	PTON FO	R SPEC	CIAL HE	CARING		*		BEFORE	THE		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter May Commercian.

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to William Monk, Inc., 222 Bosley Avenue, C-6, Towson, MD 21204, representative for Petitioners.

Peter Max Zimnernen.

A14

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

601 Compass Road

97-414-5PHA

which is presently zoned

BL

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby potition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the conversion of a full service gasoline station to a gas and go facility per section 405.3 of the Zoning Commissioner's Policy Manual and to permit an amendment to the previously approved plan in Case #73-262 XA.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

		If We do solemnly declare and allim, under the penalties of perjury, that I/we are the legal owner(o) of the property which is the subject of this Petition
Contract Purchaser/Lessee		Logal Owner(s): AMOCO Oil Co.
(Type or Print Name)		M.E. (Marty) Stumbroski (Type or Print Name) Matter & Steemhoshi Engineer
Signature		Dignaturo
Arldress		(Type or Print Name)
City	State Zlpcode	Signature
Attorney for Pelitioner.		1 W. Pennsylvania Ave., Ste. 900 410-494-3700
(Type or Print Name)	1	TOWSON M) 2120A City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Signature		William Monk, Inc. 410-494-8931
Address	Phone No.	222 Bosley Ave., C-6; Towson, MD 21204 Address Phone No
City	State Zipocote	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING unavailable for Hearing
	Agrico & Administration of the Agrico	the following dates Next Two Months
	₩ *	ALLOTHER
, £ %		REVIEWED BY:DATE



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

601 Compass Road

97-414504

which is presently zoned

BL

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

232.2 b and 1B02.3C (1) (c) to permit a side yard of 10' in lieu of the required 25' for the car wash building.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons. (indicate hardship or practical difficulty)

the relatively small lot size (.418A) coupled with the need to provide safe and adequate stacking for the relocated car wash dictates the location of the building.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

			I/We do solemnly declare and affirm, unde legal owner(s) of the property which is the s	r the penalties of perjury, that I/we are the object of this Petition
Contract Furchaser/Lessee			Logal Owner(s): AMOCO Oil Co.	
(Type or Print Name)	·		M.E. (Marty) Stumbroski (Type or Print Name)	
Signature	and the state of t		Martin E. Slum	leodu DISTRICT ENGR.
Address			(Type or Print Name)	
Cry	State	Zipcode	Signature	
Attorney for Petitioner				
(Type or Print Name)			1 W. Pennsylvania Ave.,	Ste. 900 410-494-3700
			Towson	MD 21204
Signature			City Name, Address and phone number of repre	State Zipcode sentative to be contacted
			William Monk, Inc.	410-494-8931
Address	Phone No		Name	w.con MD 24204
City	State	7ipcode	222 Bosley Ave, C-6; To	WSOII, MD ZIZU4
			OFFICE I	JSE ONLY
		Apple Administra	ESTIMATED LENGTH OF HEARING	o for Hearing
		••	the following dates	Next Two Months
Printed with Soybean Ink			ALLOTHER_	
on Recycled Paper		The said	REVIEWED BY:	

AVA

ENGINEERS • PLANNERS

97-414-5A

ZONING DESCRIPTION
AMOCO OIL COMPANY
601 COMPASS ROAD
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME on the northernmost side of Compass Road at the intersection of the west side of Henderson Road; thence binding on the north side of Compass Road the following courses and distances: (1) South 75 degrees 57 minutes 40 seconds West 97.74 feet, (2) by a curve to the right with a radius of 20.00 feet a length of 31.65 feet on a cord with a bearing of North 58 degrees 48 minutes 44 seconds West 28.45 feet, thence running along the east side of Middle River Road, (3) by a curve to the right with a radius of 1619.00 feet a length of 127.94 feet on a cord with a bearing of North 11 degrees 12 minutes 42 seconds West 127.91 feet, leaving Middle River Road right of way and thence, (4) North 77 degrees 18 minutes 40 seconds West 114.89 feet, to the west side of Henderson Road, and thence (5) South 12 degrees 42 minutes 15 seconds East 145.28 feet, to the place of beginning.

Containing 0.4188 acres of land, more or less.



SCELLANEO	COUNTY, MAI ANCE - REVENU US CASH RE	RYLAND E DIVISION CEIPT JLL 414 ACCOUNT_ROY \$150	
RECEIVED (*)		AMQUNT \$ ROOKT	
FOR:			
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CERTIFICATE OF PUBLICATION

TOWSON, MD.,

The Zoning Connecessation of the Zoning Connecessation of the Connecessary

MOTICE OF NEWS

The control of the co

published in THE JEFFERSONIAN, a weekly newspaper published successive THIS IS TO CERTIFY, that the annexed advertisement was in Towson, Baltimore County, Md., once in each of - fweeks, the first publication appearing on

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

LAURENCE E SCHMUT Comp Commission for NOTES (In Hearings are Passe Call 887-3337; Vearings In the The accommoder for (2) for information concern-Passe Call 887-3397; Vearing

4191 April 10 D134017

CERTIFICATE OF POSTING

Petitioner/Developer: AMOCO OIL COMPANY WILLIAM MONK AMA Date of Hearing/Closing: MAY 7/1997 AT-11:00 AM. 446 FLOOR H.R.		RE: Case No.: 97-414 SPHA				
Date of Hearing/Closing: MAY 7,1997 AT-11:00 AM AT-11:00 AM 44k FLOOR H, R, COUNTY COURTS BLEE Towson, MD 21204 Attention: Ms. Gwendolyn Stephens Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #601 COMPASS RD. The sign(s) were posted on 418/97 (Month, Day, Year) Sincerely, Cignature of Sign Poster and Date) Patrick M. O'Keefe						
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204 Attention: Ms. Gwendolyn Stephens Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 601 Compass RD. The sign(s) were posted on		GO WILLIAM MONK 11 1.				
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #601 COMPASS RD. The sign(s) were posted on 4/18/97 (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) Patrick M. O'Keefe	Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue	Date of Hearing/Closing: MAY 7,1997 AT-11:00 AM.				
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 601 COMPASS RD. The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) Patrick M. O'Keefe	Attention: Ms. Gwendolyn Stephens					
were posted conspicuously on the property located at # 601 COMPASS FD. The sign(s) were posted on (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) Patrick M. O'Keefe	Ladies and Gentlemen:	•				
(Signature of Sign Poster and Date) Patrick M. O'Keefe	were posted conspicuously on the property i	10 cated at # 601 COMPASS F.D.				
	the supplementation of	Patuel M. Offeele 4/24/47				
(Printed Name)		Patrick M. O'Keefe				
	· · · · · · · · · · · · · · · · · · ·	•				
· 523 Penny Lane (Address)	\$1000 00 00 00 00 00 00 00 00 00 00 00 00	· 523 Penny Lane				
Hunt Valley, MD 21030	Annual Control of the	·				
(City State Zin Code)		(City State Zin Code)				
(A10) 666-5366 Pager (410) 644-6664 (Telephone Number)		(410) 666-5366 Pager (410) 644-8864				



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, DIRECTOR
For newspaper advertising:	
Item No.: 414	
Petitioner: ANOCO OIL CO.	
Location: 601 COMPASS Re	JAD
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: WILLIAM MONIC	
ADDRESS: 222 BOSIET AV	E SUME C-6
TOWSON, MD	21204
PHONE NUMBER: 410 - 494-89	3(

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-414 -SPHA

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: *
DATE AND TIME: *
REQUEST: A SPECIAL HEARING TO CONVERT A FULL SERVICE GASOLINE
STATION TO A GAS AND GO AND TO AMEND THE APPROVED SITE PLAN
IN ZONING-CASE 73-262-XA. A VARIANCE TO PERMIT A
SIDE YARD SETBACK OF 10 FT. IN LIEU OF THE REQUIRED 25 FT.
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

TO CONFIRM HEARING CALL 887-3391.

HANDICAPPED ACCESSIBLE

9/96 post.4,doc *UPON RECEIPT OF THE NOTICE OF HEARING, THE PETITIONER OR HIS AGENT FILLS IN THIS INFORMATION AND THEN FORWARDS THIS FORM TO THE SIGN POSTER.

TO: PUTUXENT PUBLISHING COMPANY
April 10, 1997 Issue - Jeffersonian

Please foward billing to:

William Monk 222 Bosley Avenue #C-6 Towson, MD 21204 494-8931

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in <u>Towson, Maryland</u> on the property identified herein as follows:

CASE NUMBER: 97-414-SPHA
601 Compass Road
NW/S Compass Road and Henderson Road
15th Election District - 7th Councilmanic
Legal Owner(s): Amoco Oil Company

Special Hearing to approve the conversion of a full service gasoline station to a gas and go facility and to permit an amendment to the previously approved plan in case #73-262-XA.

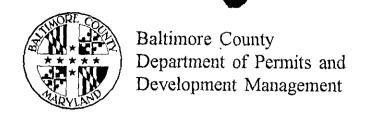
Variance to permit a side yard of 10 feet in lieu of the required 25 feet for the car wash building.

HEARING: WEDNESDAY, MAY 7, 1997 at 11:000 a.m., 4th floor hearing room, Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 7, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in <u>Towson, Maryland</u> on the property identified herein as follows:

CASE NUMBER: 97-414-SPHA
601 Compass Road
NW/S Compass Road and Henderson Road
15th Election District - 7th Councilmanic
Legal Owner(s): Amoco Oil Company

Special Hearing to approve the conversion of a full service gasoline station to a gas and go facility and to permit an amendment to the previously approved plan in case #73-262-XA.

Variance to permit a side yard of 10 feet in lieu of the required 25 feet for the car wash building.

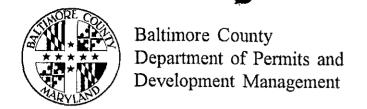
HEARING: WEDNESDAY, MAY 7, 1997 at 11:000 a.m., 4th floor hearing room, Courts Bldg., 401 Bosley Avenue.

Arnold Jablon Director

cc: Amoco Oil Col/M.E. Stumbroski William Monk, Inc.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 22, 1997.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 6, 1997

Mr. M. E. Stumbroski 1 W. Pennsylvania Avenue, Suite 900 Towson, MD 21204

RE: Item No.: 414

Case No.: 97-414-SPHA

Petitioner: Amoco Oil Company

Dear Mr. Stumbroski:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 26, 1997.

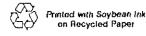
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

Zoning Supervisor

WCR/re
Attachment(s)





David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: Baltimore County 4 · 4 · 9 7

414

Item No.

166

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any guestions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

f.f. Bulh

Engineering Access Permits

Division

LG

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

POM

DATE: (pr./ 9, 97

FROM:

R. Bruce Seeley RS/G/P Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee

Meeting Date:

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

418

419

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Department of Permits and Development Management

FROM: Arnold F. "Pat" Keller, III, Director

Office of Planning

DATE: April 30, 1997

SUBJECT: Amoco at Compass Road



Item Number:

414

Petitioner:

Amoco Oil Company

Zoning:

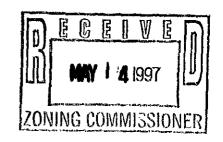
BL

Requested Action:

Special Hearing and Variance

Summary of Recommendations:

- 1. The revised Conceptual Landscape Plan submitted on April 18th, 1997 has increased the landscape area along Compass Road and has provided additional canopy trees and lower level landscaping along the streets. The site plan should be modified to reflect the additional landscape area provided.
- 2. The existing sidewalk along Henderson Road shall be retained in order to accommodate pedestrian traffic. This sidewalk should be noted to remain.
- 3. Replace the existing screen fence along the residential property line. The requested variance to permit a side yard of 10' in lieu of the required 25' for the car wash building locates this facility very close to the existing dwelling. The existing fence, a chain link fence with slats, will not adequately screen the visual impacts and activities associated with this use. A textured block or brick wall or fence in association with landscaping will provide better visual screening and may provide sound attenuation.



4. The applicant should provide sound decibel levels generated by the proposed facility at the property line. The facility should be designed to meet Title 26.02.03 of the Maryland Department of the Environment noise regulations (Residential: day 65 dBA, night 55 dBA.)Design the site, building and equipment so that the sound level at the property line of the source does not exceed MDE standards. Certification by a recognized & licensed acoustical engineer or consulting firm is required..

Prepared by: Jeffry W. Long

Division Chief: Cay l. leury

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 14, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

BMが使いたない。これの概念を論 Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for April 14, 1997

Item No. 414

The Development Plans Review Division has reviewed the subject zoning item.

Subject to previously submitted Landscape Manual review comments.

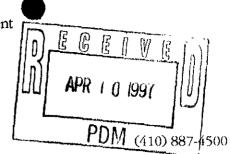
RWB:HJO:cab

cc: File

ZONE414.414

Baltimore County Government Fire Department





700 East Joppa Road Suite 901 Towson, MD 21286-5500

April 9, 1997

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: AMOCO OH. COMPANY - 414

LOUSE HAMPTON - 418 FRANK D. MORAN, SF. &

CIP - MAROM J. MORAN - 419

COLUMBUS CLUB OF DVERLEA, INC. - 421

PADONIA VILLAGE, INC. - 422

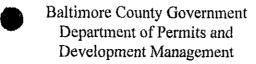
Location: DISTRIBUTION MEETING OF APRIL 7, 1997

1tom No.: (414,) 418, 419, 421 & 422 Zoning Agenda:

Cientlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are apply able and required to be corrected or incorporated into the isnal plans for the property.

- 4. The site shall be made to comply with all applicable parts of the fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the sate shall comply with all applicable requirement, of the National Fire Protection Association Standard No. 101 "Lie Salety Code", 1991 edition prior to occupancy.





111 West Chesapeake Ave. Towson, Md. 21204

(410) 887-3335

May 7, 1997

Amoco Petroleum Products One W. Pennsylvania Avenue Towson, MD 21204

> RE: Amoco Petroleum Products 601 Compass Road DRC Number 04217C, Dist.15C7

Dear Sir:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland and as provided in Section 602 (d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on April 21, 1997, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (A)(7).

Now that you have received an A-7 limited exemption, please proceed with building permit application.

Amoco Petroleum Products Amoco Petroleum Products May 7, 1997 Page 2

A copy of this letter must be presented when submitting engineering/construction plans to this office and/or when applying for a building permit.

Please be advised that Phase 2 review fees may apply, depending on the amount of site disturbance and/or the requirement of a Public Works Agreement, also, please be advised that sidewalks will be required.

Herein find a commercial site plan checklist which will serve as a guide when preparing plans for building permit applications. Please be advised, plans not meeting minimum checklist requirements will not be accepted for filing, which will consequently delay building permit approval. Please note, the "conceptual" plan required for DRC review, does not necessarily meet the checklist guidelines. Therefore, it should not be assumed that the DRC plan is acceptable for building permit applications.

Should you have any questions regarding the above, please contact the Zoning Review Section at 887-3391.

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 5th day of May, 1997, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

Arnold Jablon

anold Jollan

Director

AJ:DTR:tem

c: Bruce Seeley
Joyce Watson
File
Enclosure



Hand delivered

May 7, 1997

Mr. John Lewis
Dept. of Permits and Development Management
County Office Building, Rm. 111
111 W. Chesapeake Avenue
Towson, MD 21204

RE; 601 Compass Road; "More In Keeping" plan

Dear Mr. Lewis:

As a follow-up to my letter to Mr. Jablon dated March 19, 1997 regarding our request for an administrative ruling under the "more in keeping" criteria for gasoline service stations as set forth in Section 405.6 BCZR, attached please find the appropriate site plan with signatures from the Office of Planning and Department of Public Works representatives as required per Section 405.6A(1)(a).

It is our position that the proposed plan is more in keeping with the Baltimore County Zoning Regulations and landscape manual than the existing approved plan. A hearing (special hearing) was held regarding the need to obtain the zoning commissioner's approval for conversion from a full service gasoline service station to a gas-n-go operation and a variance to permit a side yard setback of 10' for the car wash in lieu of the 25'. This hearing was held on Wednesday, May 7, 1997 and the deputy zoning commissioner granted verbal approval per the plan as submitted which is consistent with the "more in keeping" plan.

I am providing you with three copies of the plan with signatures from the Office of Planning and Department of Public Works. I ask that you return one plan to this office. If you have any questions, please do not hesitate to contact me.

Cordially,

William P. Monk

/cjs Enc.

peed

In the interest of speed and economy, we are replying to your letter with manginal notes.

If you need more information, do not hestate to call or write.

Thank you for your interest.



May 13, 1997

15th Election District

Dear Mr. Monk:

The plan is approved as being more in keeping with Section 405.6 of the <u>Baltimore County Zoning Regulation</u> standards. One signed copy is being returned to you with this response.

very truly yours,

Planner II, Zoning Review

JLL:rye

BALTIMORE COUNTY, MARYLAND

SUBJECT:

LIMITED EXEMPTION PLAN COMMENTS

FROM:

PDM - ZONING REVIEW

DATE: May 15, 1998

PROJECT NAME:

Amoco Oil Company

PLAN DATE: NONE

PROJECT NUMBER: 98-026-Z

PDM NUMBER: XV-711

LOCATION:

601 Compass Road

DISTRICT: 15c7

PROPOSAL:

ZONING:

1. The development plan agrees with the approved plan in zoning case #97-414-SPHA.

2. For the building permit, comply with all building permit checklist requirements.

Zoning Review

JLL:rye

c: zoning case 97-414-SPHA

March 19, 1997

Mr. Arnold Jablon
Director of Permits
& Development Management
111 W. Chesapeake Avenue, Room 102
Towson, MD 21204

RE: 601 Compass Rd. @ Middle River Rd.; Baltimore County MD:
Request for administrative ruling under "more in keeping" of iteria for conversion of full service Amoco gas station to a gas-n-go facility.

Dear Arnold.

I recently met with John Lewis to discuss my client's proposal to convert the gas station at the above-referenced location to a gas-n-go operation. A brief zoning history is as follows:

A special exception and reclass was approved in 1959 (Case #4690 RX). The site has retained BL zoning continuously from that time period. In 1973 (Case #73-262 XA) approval was obtained to modify the existing facility and construct a single bay car wash. A plans approval was obtained in 1973 through the Office of Planning and Zoning.

We propose to rebuild the entire site and relocate the car wash. It is our assessment that all aspects of the plan are "more in keeping" than the most recent approval in 1973 saving and excepting the relocation of the car wash building. This building would require a variance to the side yard setback. In addition, the Zoning Commissioner's Policy Manual (Section 405.3 (1)) requires a special hearing when converting from a full service station to a gas-n-go. Therefore we are combining the variance request with the special hearing.

Landscaping is proposed along all four property boundaries where none presently exists nor was required as part of the 1973 approval. A conceptual landscape plan is provided for review by PDM and DPW.

We are requesting that your office evaluate the revised plan in the context of the 1973 approved plan for "compliance" within the criteria as set forth in section 405.6 A (BCZR). Saving and excepting the car wash building setback variance which will be addressed by the zoning commissioner at the time of the public hearing (special hearing). The application is being filed at this time.

continues-

Page Two March 19, 1997 letter to Arnoid Jabion

By copy of this letter and the accompanying plans to the Office of Planning and Department of Public Works, I am requesting that they review same and submit their recommendations to your office prior to the variance and special hearing before the Zoning Commissioner.

Enclosed is a check for \$40 and copies of the 1973 approved plan and the proposed layout.

Cordially,

WT Mone 105

William P. Monk

Enc.

cc: Marty Stumbroski/Amoco

John Lewis/PDM

Patrick Keller/Office of Planning

Robert Bowling/DPW

9719ltr/d40

A. Expansion, reconstruction or addition of uses. {Bill No. 172, 1993.}

The takent

PLAN MUST BIZ WHE PLAN EULED & SIGHED PREMICEULES

1. Any fuel service station which legally existed by right or by special exception on the effective date of Bill 172-93 may be expanded or reconstructed and any ancillary use listed in Paragraph 405.4D may be added, provided the project is confined to the limits of the site as it existed on the effective date of Bill 172-93; and {Bill No. 172, 1993.}

- a. Conforms with a plan for the entire site as reviewed by the directors of planning and zoning, public works, and zoning administration and development management; and {Bill No. 172, 1993.}
- b. Is located in A.B.L., B.R., B.M., M.L., M.H. zone or a PUD; and {Bill No. 172, 1993.}
- c. Meets the requirements set forth in Paragraph 405.4 or, in the judgment of the director of the zoning administration and development management would be done in such a manner that the station would be improved to be more in keeping with the purposes of Subsection 405.4; and {Bill No. 172, 1993.}
- d. In cases where a provision of Bill 172-93 conflicts with the terms or conditions of a prior special exception, the project may be subject to special hearing at the discretion of the director of zoning administration and development management. {Bill No. 172, 1993.}
- 2. After a public hearing, the zoning commissioner may authorize expansion of the station beyond the confines of the site, subject to the provisions of 405.6A.1 above. {Bill No. 172, 1993.}
- 3. Any of the "uses in combination with" fuel service stations listed in Paragraph 405.4E may be added to any such station, provided a special exception is granted and the provisions of Subsection 405.4 are met. {Bill No. 172, 1993.}
- 4. Any structure or expansion of the use that is shown on a plan approved prior to the effective date of Bill 172-93 shall be considered as being in compliance with Section 405.4A.2.a. (Bill No. 172, 1993.)
- B. Portable "A" or "sandwich board" signs shall be removed within three months of the adoption of this provision. {Bill No. 172, 1993.}

ZONING COMMISSIONER'S POLICY MANUAL

SECTION

405.3 CONVERSIONS TO GAS AND GO

- 1. When converting from a full service station to a gas and go (no service) a special hearing is required to either change the use or amend the existing site plan.
- 2. If a food store or other combination use is also proposed, a special exception is also required for a use in combination. If the service bays remain open only a special exception is required.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
BILL MONIC	222 Boscery NE
	SUNS C-6
	JOWSON 21204
MARTIN STUMBROSLA.	62 Brakeman Dr.
	STEWNIETSTOWN PA 17363
CHARLES T BOYDANOWICZ	AMOCO PETROLEUM & PRODUCT
	1 W. PENNSYCHAND DUE #9
	POSIS OM, MOZWOT
وروان والمساور والمراجع والم والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع و	
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